



Town of Tyngsborough
Planning Board
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
March 6, 2014

APPROVED

Attachments:

1. Meeting Agenda
2. Form A – 43 Ingalls Rd. – 3/5/2014
3. Town Administrator Letter (Stonebridge Estates, Phase 2C (Vista Way) Tri-Party Agreement Voluntary Release – 1/24/2014
4. Town Administrator Letter (Stonebridge Estates, Phase 2B (Portion of Anderson Dr.) Tri-Party Agreement Voluntary Release – 1/24/2014
5. Scott Connell email (voluntary bond forfeiture – 2/3/2014
6. Nina Nazarian Letter (Connell Construction Corp. – Tri-Party Agreements Stonebridge Estates, Phases 2B (Portion of Anderson Dr.) & 2C (Vista Way) – 3/6/2014
7. Nina Nazarian Letter (Connell Construction Corp. Tri-Party Agreements Stonebridge Estates, 2C (Vista Way) – 3/6/2014
8. David E. Ross Associates Letter (125-135 Middlesex Rd. Comprehensive Permit comments) – 3/6/2014

Members Present: Kimberly O'Brien, Vice Chairman
 Tom Delmore
 Steve Nocco
 Steve O'Neill
 Jesse Johnson, David E. Ross Associates

Members Absent: William Gramer

7:00pm - Meeting called to order by Vice Chairman Kimberly O'Brien

7:02pm **43 Ingalls Rd. (M3, P13A, L0) – ANR**

Applicant Scott Connell appeared before the Board with an ANR plan that cuts off 3 acres of his property's back-land in order to sell it to the next door neighbor to make their lot larger. Engineer J. Johnson reviewed the plans and reported that it meets all regulations and requirements.

S. Nocco: Motion to approve the ANR Plan dated 1/24/2014.

S. O'Neill: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

DISCUSSION

1. Zoning By-Law Amendments – Continued to the March 20, 2014 meeting.
2. Connell (Stonebridge, Phases B & C) Tri-Party Agreement Release – Nina Nazarian

Assistant Town Administrator Nina Nazarian appeared before the Board to facilitate the release of funds from Santander Bank for the Stonebridge Estates, Phases B & C Tri-Party Agreements. Town Counsel has reviewed the letter releasing the bank from the terms of the Tri-Party Agreement and has approved of the language. The Board simply needs to vote to authorize a member of the Board to sign the agreement. This is the final step in acquiring the bond money for Vista Way and a portion of Anderson Dr. It should be noted that these monies must be used for repairs and maintenance of Vista Way and a portion of Anderson Dr. (Station 25+00 to 16+00) the cost of which far exceeds the balance held by Santander Bank.

S. O'Neill: Motion to authorize Vice Chairman Kimberly O'Brien to sign the letter from Santander Bank, N.A., dated February 6, 2014.

S. Nocco: 2nd the motion

In Favor: 4 **Opposed:** 0 **Absent:** 1

Passes: 4-0-1

REQUESTS FOR COMMENTS

1. ZBA: 400 Business Park Dr. – Board has no issue with variance request. They have applied for a site plan special permit with this Board, the hearing of which is scheduled for March 20, 2014.
2. ZBA: 41 Woodfern Ave. – Board has no issues with variance request.
3. ZBA: Tyngsboro Crossing Comprehensive Permit (125-135 Middlesex Rd.) – Board engineer J. Johnson reviewed the 40B application and provided several recommendations for the ZBA to consider during their review of this proposal.

ADMINISTRATIVE

1. New Business – The following items were reported to the Board as projects that will be coming through for permitting in the near future:
 - 7-23 Middlesex Rd. Citizen's petition to change zoning from I-1 to B-3
 - Warrant Article to approve an open space residential plan at 37 Willowdale Rd. (aka, Giguere Rd.)
 - Application for approval of preliminary subdivision plan, Ava Lane (aka, 37 Willowdale Rd. & Giguere Rd.)
2. The February 20, 2014 minutes were tabled to the March 20, 2014 meeting.

7:50pm

S. O'Neill: Motion to adjourn

S. Nocco: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

Minutes respectfully submitted by
Pamela Berman